

In the United States District Court for the  
Eastern District of New York

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CAPITOL 7 FUNDING,

Plaintiff,

v.

Docket No.  
17-cv-2374(RRM)(ST)

WINGFIELD CAPITAL CORPORATION,  
PRESTIGE INVESTMENT ASSOCIATES, INC.,  
D/B/A PRESTIGE INVESTMENTS USA, AND  
FIRST CHOICE PAYMENT SYSTEMS, INC.,  
D/B/A 1ST CHOICE PAYMENTS,

Corporate Defendants,

BURGIS SETHNA, A/K/A SETH BURGESS,  
HEATH WAGENHEIM, JOSEPH RABITO,  
DAMIAN LALJIE A/K/A DAMIAN LALTIE,  
AND JOHN DOES 1 THROUGH 15,

Individual Defendants.

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NOTICE OF MOTION AND MOTION TO SET ASIDE ENTRY OF  
DEFAULT PURSUANT TO FED. R. CIV. P. 55(c)

TO THE HONORABLE COURT AND TO ALL PARTIES:

**PLEASE TAKE NOTICE** that that on the enclosed Memorandum of Law in  
Support of Defendants' Motion to Set Aside Entry of Default, the Declaration of  
Steven Metcalf II, and the exhibits attached thereto, Defendants Sethna Burgis, Heath  
Wagenheim, and Wingfield Capital Corporation will move before the Honorable

Magistrate Steven L. Tiscione, at the United States Federal Courthouse, Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York 112001 upon submission or on a date and time for oral argument to be set by this Court to set aside entry of default for good cause, pursuant to Rule 55(c) of the Federal Rules of Civil Procedure, and for any such other and further relief as the Court deems just and proper.

Dated: January 4, 2021  
New York, New York

Yours, etc.,

Steven A. Metcalf

Steven A. Metcalf II

*Counsel for Defendant Sethna, Wagenheim  
and Wingfield Capital Corp.*

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